



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0851-0031

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FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/644,106
	Filing Date	August 20, 2003
	First Named Inventor	Gijbsbers et al.
	Art Unit	3763
	Examiner Name	(TBA)
Total Number of Pages in This Submission	Attorney Docket Number	11738.00120

**ENCLOSURES (check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><br><input type="checkbox"/> Response to Missing<br>Parts under 37 CFR<br>1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br>(for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to<br>Group<br><br><input type="checkbox"/> Appeal Communication to Board of<br>Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input type="checkbox"/> Other Enclosure(s)<br>(please identify below):<br><br><p style="text-align: center;">Exp MI #EL941344084US<br/>9 references, Franch Search<br/>Report, PTO/SB/08A form,<br/>Return Receipt Post Card</p> |
|---|--|--|

**Remarks**

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Banner & Witcoff, Ltd 10 S. Wacker Drive, Suite 3000 Chicago, IL 60606 Robert H. Resis (Reg. No. 32,168)
Signature	
Date	November 20, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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By: 

Patent Application of:	Gijsbers et al.
Title:	Brain Fluid Ion Concentration Modification For Treating Neurological Disorders
Serial No.	10/644,106
Attorney Docket No.	11738.00120

- X Transmittal Form, in duplicate
- X Information Disclosure Statement
- X PTO/SB/08A form
- X 9 references
- X French Search Report (3 pages)
- X Return Receipt Postcard

BANNER & WITCOFF, LTD.  
Ten South Wacker Drive, Suite 3000  
Chicago, Illinois 60606  
Telephone: (312) 463-5000

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.W./



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Attorney Docket No. 11738.0120)

In re Application of:	)	
	)	
	)	
Gijsbers et al.	)	
	)	
	)	Group Art Unit: 3763
Serial No.: 10/644,106	)	
	)	
Filed: August 20, 2003	)	
	)	Examiner (TBA)
	)	
For: Brain Fluid Ion Concentration	)	
Modification for Treating Neurological	)	
Disorders	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicants wish to make the following references of record in the above-identified application. The U.S. Patents item nos. 1, 3-4, 6-8 and non-patent item no. 1 were cited in the continuation application U.S. Serial No. 10/142,113 (now known as U.S. Patent No. 6,551,301), which share the same parent application Serial No. 09/561,550 (now known as U.S. Patent No. 6,447,500) as the present application. The U.S. Patents item nos. 2, 3, and 5 were cited in an earlier French Search Report dated April 1, 2003 (courtesy copy enclosed). Copies of the references cited below are enclosed along with a completed PTO/SB/08a-b form.

**U.S. Patents**

	<b><u>Patent Number</u></b>	<b><u>Inventor</u></b>	<b><u>Issue Date</u></b>
1.	4,445,500	Osterholm	05-01-84
2.	4,686,085	Osterholm	08-11-87
3.	5,832,932	Elsberry et al.	11-10-98
4.	5,978,702	Ward et al.	11-02-99
5.	5,980,480	Rubenstein et al.	11-09-99
6.	6,018,682	Rise	06-25-2000
7.	6,263,237	Rise	07-17-01
8.	6,272,370	Gillies et al.	08-07-01

**Non-Patent Document(s):**

1. Kandel, Eric R. et al., "Membrane Potential", Principles of Neural Science, 2000, Chapter 7, pp. 125-139, Fourth Edition, McGraw hill Health Professionns Division.

In accordance with MPEP §§ 609 and 707.05(b), it is requested that the documents cited be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing by the Examiner on Form PTO/SB/08A, so that it will appear on the face of the patent issuing on the present application.

The present disclosure statement is being submitted on compliance with 37 C.F.R. §1.56 as an Examiner might consider the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of such documents is not to be construed as an admission that the documents are necessarily relevant or prior art. No representation is intended that the cited documents represent the result of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with and in

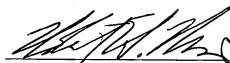
the course of such search, will review for relevance the documents cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

Date: November 20, 2003

By:



Robert H. Resis  
Registration No. 32,168

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Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet	1	of	2
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Application Number	10/644,106
Filing Date	August 20, 2003
First Named Inventor	Gijsbers et al.
Art Unit	3763
Examiner Name	(TBA)
Attorney Docket Number	11738.00120

[illegible][illegible]

Examiner Signature	/Emily Wachtel/	Date Considered	11/26/2007
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO) followed by the country code (e.g., JP for Japan), and the kind of document (e.g., A for patent). 4 Enter date of publication of the document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 If possible, 6 Applicant is to place a check mark here if English language Translation is attached.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.W./

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Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet	2
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2

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2

**Complete if Known**

Application Number	10/644,106
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Filing Date	August 20, 2003
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First Named Inventor	Gijsbers et al.
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Group Art Unit	3763
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Examiner Name	(TBA)
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Attorney Docket Number	11738.00120
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## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature	/Emily Wachtel/	Date Considered	11/26/2007
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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